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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,907	07/03/2000	Thomas Lloyd Hiller	17-3-3	3269

7590 08/01/2003

LUCENT TECHNOLOGIES INC  
Docket Administrator Room 3C-512  
600 Mountain Avenue  
P O Box 636  
Murray Hill, NJ 07974-0636

EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/01/2003 //

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/609,907

Applicant(s)

HILLER ET AL.

Examiner

THUAN T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

3. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Fong et al. (U.S. Patent No. 6,493,328).

Regarding claims 1-13, Fong discloses a system and a method for allowing a mobile of a wireless communication, referred to as a mobile node (MN) or simply a mobile station (Fig. 1/items 116, 118, 130, 126, 132, 134, 136, and col. 3/line 65 to col. 4/line 20), simultaneously access to multiple data networks coupled to the wireless communication network, for example, a

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wireless network infrastructure 102 coupled to a PSTN network system and/or to an Internet 114 as a data network system and to other data network systems such as to packet data networks 528 through a PDSN 526 regarding as a data serving node (Fig. 5, and col. 8/line 54 to col. 9/line 9), wherein network interfaces are provided within network controlling elements, such as within Base Station controllers, of the wireless communication network, for instance, a base station controller BSC 516 acts as a primary controller in controlling the routing or connecting of mobile nodes or mobile stations among packet data networks 528, voice networks 530, and a radio access network 302 (Fig. 4/item BSC 424 & Fig. 5, and col. 8/line 54 to col. 9/line 9); and the network interfaces allows various communication channels established by the mobile to be routed to network controlling elements that are coupled to a plurality of data networks (as illustrated in Fig. 5, and Fig. 11 for a BSC with a plurality of different network interfaces I/F(s) as shown to communicate to other networks, and col. 12/line 66 to col. 13/line 42). Furthermore, Fong discloses that Fong's system further includes a mobile node or mobile station can maintain plural communication paths using the Radio Link Protocol (RLP), and this capability provides data connectivity from a mobile node to multiple service areas (see Figs. 3A & 3B for Radio Link Protocol addressed, the PDSN protocol and how these components interacts or interfaces to each other, and further details on col. 6/line 54 to col. 7/line 31). Thus, a mobile station or a mobile node is able to communicate simultaneously with different data networks; and the network interfaces further allows handoffs or handovers to be executed seamlessly with no interruptions between mobile nodes and system equipment, i.e., a host system, as the main objection of Fong's

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system and method for providing and supporting non-interruption transmission as the mobile nodes moves among different networks with different standards and protocols (col. 1/lines 20-67 & col. 3/line 65 to col. 4/line 56). Therefore, every limitation of the present application is met by the disclosure of Fong's system and method as discussed.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fong et al (US Pub 2001/0036820 A1) & Wu et al (US Pub 2001/0036830 A1) related to Fong '328's system. Dynarski et al (US Patent 6,272,129 B1) and Rautiola et al (US Patent 5,959,331) disclose integrated communication systems related to call routing and protocols.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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6. **Any response to this action should be mailed to:**  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**  
**(703) 872-9314, (for Technology Center 2600 only)**

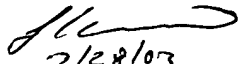
*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tony T. Nguyen  
Art Unit 2685  
July 24, 2003

  
7/28/03  
**LESTER G. KINCAID**  
**PRIMARY EXAMINER**